

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

ALMA VARGA,

Defendant.

CASE NO. CR20-0006-JCC

ORDER

This matter comes before the Court on the parties' stipulated motion to seal Defendant's sentencing memorandum (Dkt. No. 40). Having thoroughly considered the parties' motion and the relevant record, the Court GRANTS the motion.

The First Amendment protects the public's right of access to criminal trials. *See, e.g., Globe Newspaper Co. v. Super. Ct. for Norfolk Cnty.*, 457 U.S. 596, 606 (1982). The public also has a common law right to inspect and copy public records, including those from judicial proceedings. *See Nixon v. Warner Commc'ns*, 435 U.S. 589, 597 (1978). But these rights are not absolute. They must yield when (1) sealing a document serves a compelling interest, (2) that is substantially likely to be harmed if the document is not sealed, and (3) there are no less restrictive alternatives for protecting the interest. *See United States v. Doe*, 870 F.3d 991, 998 (9th Cir. 2017).

Although the parties' motion asserts in conclusory fashion that the sentencing memorandum "contains sensitive information which should not be publicly disseminated," (Dkt.

1 No. 40 at 1), the Court has reviewed the documents at issue and finds that sealing them would
2 serve a compelling interest in protecting Defendant's privacy interest in her criminal history,
3 family, and medical information. Additionally, the Government joins in this request.

4 Accordingly, the Court GRANTS the parties' stipulated motion to seal. (Dkt. No. 40.)
5 Defendant's sentencing memorandum (Dkt. No. 41) will remain under seal pending further order
6 of the Court.

7 DATED this 14th day of October 2021.

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11 John C. Coughenour
12 UNITED STATES DISTRICT JUDGE
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